



LEROY D. BACA, SHERIFF

**County of Los Angeles**  
**Sheriff's Department Headquarters**  
4700 Ramona Boulevard  
Monterey Park, California 91754-2169



August 30, 2005

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**AWARD JOB ORDER CONTRACT FOR REPAIR  
AND REFURBISHMENT OF SHERIFF'S DEPARTMENT'S FACILITIES  
(ALL DISTRICTS) (3 VOTES)**

**JOINT RECOMMENDATIONS WITH THE CHIEF ADMINISTRATIVE OFFICER THAT  
YOUR BOARD:**

1. Find that the California Environmental Quality Act (CEQA) does not apply to the award of this contract because it can be seen with certainty that no significant effect on the environment will result from this action insofar as 1) no actual project is being approved at this time and 2) a distinct CEQA determination will be made in advance of every project ultimately authorized in connection with this contract.
2. Award a Job Order Contract (JOC) to MTM Construction, Inc., for a one-year period and a maximum cost of \$3 million to be financed from the Sheriff's Inmate Welfare Fund, other Sheriff's Department budgeted funds, and County's Capital Projects fund.
3. Authorize the Sheriff to prepare and execute the JOC in the form previously approved by County Counsel and establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds filed by the contractor.
4. Authorize the Sheriff to execute work orders not to cumulatively exceed the maximum amount of the contract.

*A Tradition of Service*

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommendations will enable the Sheriff's Department to address some of the repair and maintenance issues the facilities require. The success of previous JOC agreements approved by your Board for use by the Sheriff's Department and other County Departments has demonstrated the effectiveness of this type of contracting.

There are insufficient in-house resources to fulfill the current and anticipated Sheriff's Department requirements for facility repairs and refurbishment. The recommended contract will allow the high priority work to be completed as soon as possible to assure secure and safe facilities for both employees and inmates. At the same time, the Sheriff's Department's resources are not interrupted from providing their normal duties. The Sheriff will provide quarterly updates on all JOC activities to the Chief Administrative Office (CAO) and the Board.

### **Implementation of Strategic Plan Goals**

This action meets the County's Strategic Plan Goals of Service Excellence and Fiscal Responsibility, since these construction projects will provide improved facilities to mitigate the current needs of outdated and/or required extraordinary repair work within the Sheriff's facilities.

### **FISCAL IMPACT/FINANCING**

The projects undertaken utilizing this JOC contract will be funded by the Inmate Welfare Fund, other Sheriff's Department budgeted funds, and County's Capital Projects funds at a maximum cost of \$3 million. The scope of work for projects, which are funded by the Inmate Welfare Fund, will be limited to improvements that benefit the welfare and needs of inmates confined in Sheriff's Department's detention facilities. No work will be assigned to the JOC contractor without the Sheriff and the CAO's prior review and approval.

Funds for each project begun under this contract will be encumbered in the appropriate fund before work begins. Total contract amount encumbered under this JOC program will be limited to and not exceed a maximum of \$3 million.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On March 29, 2005, your Board authorized and approved an extension to a consulting services agreement between the Sheriff and the Gordian Group, Inc., to develop and implement a JOC program for the repair, maintenance, and refurbishment of Sheriff facilities.

This program has enhanced the Sheriff's Department internal ability to effectively and efficiently respond to a broad array of facility repairs, extraordinary maintenance, minor facility alterations, and rehabilitation projects. The proposed contract requires MTM Construction, Inc., to comply with all applicable Federal, State, and County requirements, including, without limitation, the obligation to pay prevailing wages to all persons employed on projects in excess of \$1,000. The JOC contract will not exceed the statutory limits of \$3 million and a term of one (1) year, as specified in Section 20128.5 of the Public Contract Code.

The JOC contract contains provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract, if it is found that the contractor offered or gave improper consideration to County employees. The JOC contract contains a provision that should the Contractor require additional personnel to carry out the contract work, consideration will be given to hire permanent County employees who are scheduled for layoff after the effective date of the contract.

The JOC contract includes Board-mandated provisions, including Jury Service Compliance, Safely Surrendered Baby Law Compliance, consideration for hiring County employees targeted for layoff, consideration for hiring GAIN/GROW participants, notification to the County when 75 percent of the contract sum is reached, no payment for services following expiration, contractor responsibility and debarment, and the Federal Earned Income Tax Credit notification.

Under this JOC, the contractor will not be asked to perform services which exceed the scope of the work or contract dates.

### **CONTRACTING PROCESS**

On March 29, 2005, your Board adopted the JOC Unit Price Book and Specifications for the repair and refurbishment of Sheriff's facilities and instructed the Executive Officer to advertise for bids. A notice was posted on the Los Angeles County web site and in a local newspaper. A pre-bid conference was held on April 12, 2005, to discuss bidding and project requirements. On April 26, 2005, four competitive bids were received. MTM Construction, Inc. was the apparent lowest responsible bidder meeting the criteria adopted by your Board. The bid results are summarized in Attachment A (JOC Bid Results).

MTM Construction Inc. has been identified as a Community Business Enterprise (CBE) vendor, consistent with your Board's CBE participation goal. A completed form of the Los Angeles County Community Business Enterprise (CBE) Firm/Organization Information Form is provided as Attachment B.

Under an agreement with the Gordian Group, Inc., the consultant is providing advice on JOC program contract matters and updating the JOC Program Pricing Manual.

The Sheriff's Department has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contract as this contract is for non-Proposition A services.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The use of this contract will expedite the completion of Sheriff's facility repair and refurbishment work at its jails, stations, and other non-secure facilities. Minor operational impacts will occur while repair or refurbishment work is underway. However, the Sheriff's Department will take the appropriate measures to minimize the impacts of construction activities to current Sheriff's operation within the various facilities as part of this contract.

**ENVIRONMENTAL DOCUMENTATION**

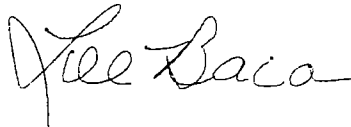
The California Environmental Quality Act (CEQA) requires public agency decision makers to document and consider the environmental implications of their actions.

With respect to the award of this contract, it can be seen with certainty that such action will not have a significant effect on the environment, insofar as no particular project is being approved at this time. However, every project authorized in connection with this JOC will be subject to a separate work order and an accompanying determination and documentation by the Sheriff that the work is categorically exempt from the CEQA. In the event the work order is not exempt, your Board will be requested to approve the appropriate environmental finding and documentation prior to implementation.

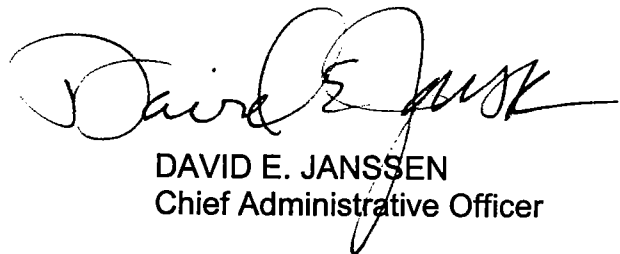
**CONCLUSION**

Please return one adopted copy of this letter to the Chief Administrative Office (Capital Projects), and the Sheriff's Department (Facilities Planning Bureau).

Sincerely,



LEROY D. BACA  
SHERIFF




DAVID E. JANSSEN  
Chief Administrative Officer

# ATTACHMENT A

JOC S2 Bid Results



										
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT										
JOC S2 BID RESULTS										
April 26, 2005										
NO.	CONTRACTOR	A PROJECTS IN SECURE FACILITIES NORMAL TIME ADJUSTMENT FACTOR	B PROJECTS IN SECURE FACILITIES OTHER THAN NORMAL ADJUSTMENT FACTOR	C PROJECTS IN NON-SECURE FACILITIES NORMAL TIME ADJUSTMENT FACTOR	D PROJECTS IN NON-SECURE FACILITIES OTHER THAN NORMAL ADJUSTMENT FACTOR	COMPOSITE - ADJUSTMENT FACTOR	Composite X Max Value	SBE (Y/N)	SBE Preference (\$50,000)	Revised Max Value (Composite - Preference)
3	ACE Engineering, Inc.	0.9688	0.9988	0.9400	0.9400	0.9662	\$ 2,898,480.00	N	\$ -	\$ 2,898,480.00
2	Mackone Development, Inc.	0.9900	1.0100	0.8800	0.8800	0.9610	\$ 2,883,000.00	N	\$ -	\$ 2,883,000.00
5	Athena Engineering, Inc.	1.1000	1.1000	0.9200	0.9200	1.0460	\$ 3,138,000.00	Y	\$ 50,000.00	\$ 3,088,000.00
1	MTM Construction, Inc.	0.9780	0.9780	0.8500	0.8500	0.9396	\$ 2,818,800.00	Y	\$ 50,000.00	\$ 2,768,800.00
4	New Creation Builders	1.1000	1.1200	0.9000	0.9100	1.0450	\$ 3,135,000.00	Y	\$ 50,000.00	\$ 3,085,000.00

## **ATTACHMENT B**

**Los Angeles County Community Business Enterprise (CBE)  
Firm/Organization Information Form**

# Request for Local SBE Preference Program Consideration and Community Business Enterprise (CBE) Firm/Organization Information Form

**INSTRUCTIONS:** All proposers/bidders responding to this solicitation must complete and return this form for proper consideration of the proposal/bid.

**I. LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:**

FIRM NAME: MTM CONSTRUCTION, INC.

☐ I AM NOT A Local SBE certified by the County of Los Angeles Office of Affirmative Action  
☒ I AM Compliance as of the date of this proposal/bids submission.

☒ As an eligible Local SBE, I request this proposal/bid be considered for the Local SBE Preference.

My County (WebVen) Vendor Number : 06274701

**II. FIRM/ORGANIZATION INFORMATION:** The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to race/ethnicity, color, religion, sex, national origin, age, sexual orientation or disability.

<b>Business Structure:</b> <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Non-Profit <input type="checkbox"/> Franchise <input type="checkbox"/> Other (Please Specify) _____						
<b>Total Number of Employees</b> (including owners): <u>28</u>						
<b>Race/Ethnic Composition of Firm.</b> Please distribute the above total number of individuals into the following categories:						
Race/Ethnic Composition	Owners/Partners/ Associate Partners		Managers		Staff	
	Male	Female	Male	Female	Male	Female
Black/African American						
Hispanic/Latino						
Asian or Pacific Islander	<u>1</u>		<u>4</u>	<u>1</u>	<u>11</u>	<u>4</u>
American Indian						
Filipino						
White					<u>7</u>	

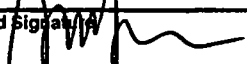
**III. PERCENTAGE OF OWNERSHIP IN FIRM:** Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/Latino	Asian or Pacific Islander	American Indian	Filipino	White
Men	%	%	<u>100</u> %	%	%	%
Women	%	%	%	%	%	%

**IV. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES:**  
 If your firm is currently certified as a minority, women, disadvantaged or disabled veteran owned business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form, if necessary.)

Agency Name	Minority	Women	Dis- advantaged	Disabled Veteran	Expiration Date
<u>US SBA</u>	<u>X</u>				<u>12/6/09</u>

**V. DECLARATION: I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE.**

Print Authorized Name <u>HOWARD LEE</u>	Authorized Signature 	Title <u>PRESIDENT</u>	Date <u>4/19/05</u>
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